

ORDINANCE NO. 2008-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF ALAMEDA COUNTY
WATER DISTRICT PROHIBITING WASTEFUL USE OF WATER, PURSUANT
TO WATER CODE SECTION 375

A. REGULATIONS AND RESTRICTIONS ON WATER USE

It is hereby declared by the Board of Directors that, in order to conserve the District's water supply for the greatest public benefit, reduce the quantity of water used by the District's customers, and maintain the District's commitment to implementing cost effective Best Management Practices (BMPs) as a signatory to the Memorandum of Understanding (MOU) on Urban Water Conservation, it is necessary that wasteful use of water be eliminated. Customers of the District shall observe the following regulations and restrictions on water use:

1. Residential customers shall not:
 - a. Use water for lawn or garden watering, or any other irrigation, in a manner which results in excessive flooding or excessive runoff in gutters or other waterways, patios, driveways, walks or streets;
 - b. Use water for washing sidewalks, walkways, driveways, patios, parking lots, tennis courts or other hard-surfaced areas in a manner which results in excessive runoff or waste;
 - c. Use water for washing cars, boats, trailers or other vehicles and machinery in a manner which results in excessive runoff or waste. Hoses should be equipped with shutoff nozzles.
2. Nonresidential customers shall not:
 - a. Use single pass cooling systems in new connections;
 - b. Use non-recirculating systems in new conveyer car wash and commercial laundry systems;
 - c. Use non-recycling decorative water fountains;
 - d. Use water for lawn or garden watering, or any other irrigation, in a manner which results in excessive flooding or runoff in gutters or other waterways, patios, driveways, walks or streets;

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- e. Use water for washing sidewalks, walkways, driveways, patios, parking lots, tennis courts or other hard-surfaced areas in a manner which results in excessive runoff or waste.
3. All Customers Shall:
 - a. Reduce other interior or exterior water uses to minimize or eliminate excessive runoffs or waste; and
 - b. Repair leaks as soon as practicable.

B. EXCEPTIONS

Consideration of written applications for exceptions regarding regulations and restrictions on water use set forth in this Ordinance shall be as follows:

1. Written applications for exceptions shall be accepted, and may be granted, by the Manager of Customer Service or designee.
2. Denials of applications may be appealed in writing to the General Manager;
3. Grounds for granting such exceptions are:
 - a. Failure to do so would cause an unnecessary and undue hardship to the Applicant, including but not limited to, adverse economic impacts, such as loss of production or jobs; or
 - b. Failure to do so would cause a condition affecting the health, sanitation, fire protection or safety of the Applicant or the public.

C. ENFORCEMENT

1. If the District determines that a customer is using water in violation of this Ordinance, the District will send a written warning to the customer that identifies the wasteful use of water, requests that the customer stop such wasteful use, informs the customer about the process for applying for an exception from the requirements of this Ordinance, and informs the customer that failure to comply with this Ordinance may result in the termination of service.
2. The District may, after issuing a written warning, and if the customer does not request an exception, conduct a follow-up visit in order to ascertain whether wasteful use of water is still occurring. In the event that continued waste of water is observed, and no exception has been granted, the District will issue a second written warning by on-site notification of wasteful water use and the

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customer will be charged for the follow-up visit consistent with the field service visit charge in the District's Rate and Fee Schedule, Section 3A.

3. In the event that District personnel observe excessive water use occurring at a customer's premises in violation of the regulations and restrictions on water use set forth in this Ordinance more than 48 hours after the on-site notification, the General Manager may authorize termination of water service.
4. The charge for restoring service shall be consistent with the reconnection charge in District's Rate and Fee Schedule, Section 3E. The customer must have stopped the wasteful use of water and have paid all charges owed to the District under this Ordinance before the District will restore water service.

This Ordinance shall become effective and be enforced as of June 6, 2008.

The District Secretary shall cause a copy of this ordinance to be published in a newspaper of general circulation in the District.

PASSED AND ADOPTED THIS 5th day of June, 2008, by the following vote:

AYES: Directors Huang, Koller, Lampert, and Weed

NOES: None

ABSENT: Director Gunther

/s/ JOHN H. WEED
John H. Weed, President
Board of Directors
Alameda County Water District

ATTEST:

APPROVED AS TO FORM:

/s/ GINA MARKOU
Gina Markou, District Secretary
Alameda County Water District

/s/ RAY MCDEVITT
Ray McDevitt, Attorney
Alameda County Water District